

Department of Justice

§ 90.21

State shall designate a State office for the purposes of:

(1) Certifying qualifications for funding under this subpart B;

(2) Developing a Statewide plan for implementation of the grants to combat violence against women in consultation and coordination with non-profit, nongovernmental victim services programs, including sexual assault and domestic violence service programs; and

(3) Preparing an application to obtain funds under this subpart B.

(b) *Administration and fund disbursement.* In addition to the duties specified by paragraph (a) of this section, the office shall:

(1) Administer funds received under this subpart B, including receipt, review, processing, monitoring, progress and financial report review, technical assistance, grant adjustments, accounting, auditing and fund disbursements; and

(2) Coordinate the disbursement of funds provided under this part with other State agencies receiving Federal, State, or local funds for domestic or family violence and sexual assault prosecution, prevention, treatment, education, and research activities and programs.

§ 90.20 Application content.

(a) *Format.* Applications from the States for the STOP Violence Against Women Formula Grant Program must be submitted on Standard Form 424, Application for Federal Assistance. The Office of Justice Programs will request the Governor of each State to identify which State agency should receive the Application Kit. The Application Kit will include a Standard Form 424, an Application for Federal Assistance, a list of assurances to which the applicant must agree, and additional guidance on how to prepare and submit an application for grants under this subpart.

(b) *Requirements.* Applicants in their applications shall at the minimum:

(1) Include documentation from non-profit, nongovernmental victim services programs describing their participation in developing the plan as provided in § 90.19(a);

(2) Include documentation from prosecution, law enforcement, and victim services programs to be assisted, demonstrating the need for grant funds, the intended use of the grant funds, the expected results from the use of grant funds, and demographic characteristics of the populations to be served, including age, marital status, disability, race, ethnicity and linguistic background. Section 2002(d)(1);

(3) Certify compliance with the requirements for forensic medical examination payments as provided in § 90.14(a); and

(4) Certify compliance with the requirements for filing and service costs for domestic violence cases as provided in § 90.15

(c) *Certifications.* (1) As required by section 2002(c) each State must certify in its application that it has met the requirements of this subpart regarding the use of funds for eligible purposes (§ 90.12); allocation of funds for prosecution, law enforcement, and victims services (§ 90.16(c)); non-supplantation (§ 90.18); and the development of a Statewide plan and consultation with victim services programs (§ 90.19(a)(2)).

(2) Each State must certify that all the information contained in the application is correct, that all submissions will be treated as a material representation of fact upon which reliance will be placed, that any false or incomplete representation may result in suspension or termination of funding, recovery of funds provided, and civil and/or criminal sanctions.

§ 90.21 Evaluation.

(a) The National Institute of Justice will conduct an evaluation of these programs. A portion of the overall funds authorized under this grant Program will be set aside for this purpose. Recipients of funds under this subpart must agree to cooperate with Federally-sponsored evaluations of their projects.

(b) Recipients of program funds are strongly encouraged to develop a local evaluation strategy to assess the impact and effectiveness of the program funded under this subpart. Applicants should consider entering into partnerships with research organizations that

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are submitting simultaneous grant applications to the National Institute of Justice for this purpose.

§ 90.22 Review of State applications.

(a) *Review criteria.* The provisions of part T of the Omnibus Act and of these regulations provide the basis for review and approval or disapproval of State applications and amendments in whole or in part.

(b) *Intergovernmental review.* This Program is covered by Executive Order 12372 (Intergovernmental Review of Federal Programs) and implementing regulations at 28 CFR part 30. A copy of the application submitted to the Office of Justice Programs should also be submitted at the same time to the State's Single Point of Contact, if there is a Single Point of Contact.

(c) *Written notification and reasons for disapproval.* The Office of Justice Programs shall approve or disapprove applications within sixty days of official receipt and shall notify the applicant in writing of the specific reasons for the disapproval of the application in whole or in part. Section 2002(e)(1).

§ 90.23 State implementation plan.

(a) Each State must submit a plan describing its identified goals and how the funds will be used to accomplish those goals. States may use grant funds to accomplish any of the seven identified purposes of the Violence Against Women Act.

(b) The implementation plan should describe how the State, in disbursing monies, will:

(1) Give priority to areas of varying geographic size with the greatest showing of need based on the availability of existing domestic violence and sexual assault programs in the population and geographic area to be served in relation to the availability of such programs in other such populations and geographic areas;

(2) Determine the amount of subgrants based on the population and geographic area to be served;

(3) Equitably distribute monies on a geographic basis including nonurban and rural areas of various geographic sizes; and

(4) Recognize and address the needs of underserved populations. State plans

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may include but are not required to submit information on specific projects.

(c) State plans will be due 120 days after the date of the award.

§ 90.24 Grantee reporting.

(a) Upon completion of the grant period under this subpart, a State shall file a performance report with the Assistant Attorney General for the Office of Justice Programs explaining the activities carried out, including an assessment of the effectiveness of those activities in achieving the purposes of this part.

(b) A section of the performance report shall be completed by each grantee and subgrantee that performed the direct services contemplated in the application, certifying performance of direct services under the grant. The grantee is responsible for collecting demographics about the victims served and including this information in the Annual Performance Report. In addition, the State should assess whether or not annual goals and objectives were achieved and provide a progress report on Statewide coordination efforts. Section 2002(h)(2).

(c) The Assistant Attorney General shall suspend funding for an approved application if:

(1) An applicant fails to submit an annual performance report;

(2) Funds are expended for purposes other than those described in this subchapter; or

(3) A report under this section or accompanying assessments demonstrate to the Assistant Attorney General that the program is ineffective or financially unsound.

Subpart C [Reserved]

Subpart D—Arrest Policies in Domestic Violence Cases

SOURCE: 61 FR 40733, Aug. 6, 1996, unless otherwise noted.

§ 90.60 Scope.

This subpart sets forth the statutory framework of the Violence Against